

FILED
UNITED STATES DISTRICT COURT, CLERKS OFFICE
EASTERN DISTRICT OF MASSACHUSETTS FEB 25 P 3:07

WILLIAM M. TYREE P.O. BOX-100 SOUTH WALPOLE, MA. 02071 PLAINTIFF, Pro se)	U.S. DISTRICT COURT C.A. NO 04-11430-RCL
V.)	Plaintiff's Motion To Stay Proceedings Pending Mandamus Review Of Reinstatement Of The Plaintiff In The U.S. Army By The U.S. Court Of Appeals <u>For The First Circuit.</u>
UNITED STATES ARMY CID AGENT PAUL MASON (Retired) CID AGENT JOSEPH BURZENSKI (Retired) DEFENDANTS)	
U.S. Department of Justice John J. Moakley Courthouse 1 Courthouse Way, Suite 9200 Boston, Massachusetts 02210 (Main phone: 617-748-3100))	
<u>Counsel for Defendants</u>)	

Comes now the Plaintiff, William M. Tyree, Pro se, who moves this United States District Court, (USDC), to allow this Stay of Proceedings pursuant to Rule 62 of the FRCP, for the reasons set out in the attached Motion For A Stay Of proceedings In The USDC filed by the Plaintiff into the U.S. Court of Appeals for the First Circuit. The attached Motion To Stay Proceedings in Tyree v. U.S. Army, Et al., C.A. 04-11430, filed into the U.S. court of Appeals seeking the Court of Appeals to direct the stay at C.A. 04-11430 (USDC docket), is also supported by the same affidavit that this Motion To Stay Proceedings relies upon. It is prayed that the Stay be granted in the above captioned case pending review of the material in the Court of Appeals to determine if the Plaintiff will be reinstated in the U.S. Army. If the Court of Appeals rules in favor

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of the Plaintiff, that would moot the case pending in the USDC currently, as reinstatement in the U.S. Army would bar the litigation of any claims that arose while the Plaintiff was on active duty in the U.S. Army.

Respectfully submitted,

February 21, 2005

William Tyree

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